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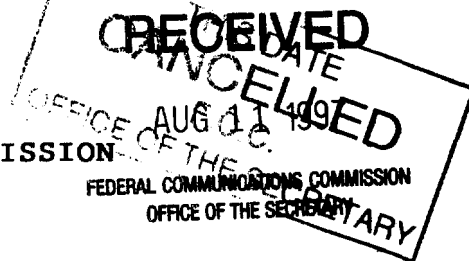
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**MULLANEY ENGINEERING, INC.**

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GAITHERSBURG, MD 20877

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554



In the Matter of

Main Studio and Public Inspection  
File of Broadcast Television and  
Radio Stations.

MM Docket No. 97-138

**RECEIVED**

AUG 08 1997

**Comments of Mullaney Engineering, Inc.** - FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mullaney Engineering, Inc. (MEI), has reviewed the Notice of Proposed Rule Making (NPRM) and submits the following comments.

**Main Studio Location - Current Rule**

The current rules governing the permissible location of the main studio are based upon the technical facilities of the station in question. However, this is a totally ridiculous method for the FCC to have selected. The original purpose of the main studio rule was to insure that those facilities were conveniently located so as to be easily accessible to members of the general public. Assuming maximum technical FM facilities this means that a Class A's FM studio can be located up to 20 miles from its city of license while a Class C's FM studio can be located up to 84 miles from its city of license (using the standard F(50,50) curves). I find it hard to believe that anyone, even the FCC, would believe that a member of the general public would agree that a 84 mile trip (1.5 hrs one way) to the studio of a 100 kW Class C FM station is just as convenient as a short 20 mile trip (0.4 hrs one way) to the studio of a 6 kW Class A FM station.

It should also be duly noted that in FM Broadcasting the FCC staff now permits the use of alternate propagation

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studies (such as Tech Note 101) to justify even greater distances. It is now possible for a maximum facility Class C FM station to be located over 100 miles from its city of license. In our experience in preparing such propagation studies it is almost always possible to justify a distance greater than that predicted by F(50,50) unless there is a significant terrain obstruction. Use of the alternate propagation studies has for the most part gutted the original rule. In addition, the number of people hours spent by the FCC staff to verify such calculations appears to be stretching their resources to the limit. We believe that a significant number of broadcast facilities have now used alternate propagation studies to establish compliant coverage of their studio or in some case coverage of their entire city of license.

When determining the maximum permissible distance one must remember to double the typical distance to the city grade contour. This accounts for situations where the tower is the maximum distance south of the city and the studio is the maximum distance south of the tower.

It should be noted that since non-commercial FM stations are not required to place a city grade signal over their city of license one might conclude that it is illegal for them to located their studio inside their city of license.

It is unclear if the original purpose of the rule was to provide members of the general public with convenient access to the management of the station or convenient access to the technical facilities used by that station. However, given the realities of duopolies & consolidations and given the fact that little local origination goes on at most stations the intended purpose needs to be carefully reviewed.


**Suggested Modification to Rule**

We believe that the Commission should modify its rule to be one consistent standard for all types of facilities regardless of power or service. Convenience of the public has no relationship to the technical facilities used by any given station. A single standard would also level the playing field within a given regional market if sufficiently broadened beyond the narrow concept of a single city of license.

We suggest that the stations be permitted meet the main studio rule by establishing a location within the city of license (or regional/urbanized area) at which they will make both managerial and technical personnel available several times per month. The locations and times would be announced on their own station during the days prior to each occasion.

With regard to the public inspection file we believe that it should be totally discarded or that a station be permitted to place the file at a central location such as the local library or at their main studio regardless of its location. The material needed to be contained within such a file needs to be carefully reviewed so as not to be overly burdensome to the licensee while still being meaningful to the public.

Respectively submitted.

  
John J. Mullaney

August 7, 1997.